

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BRADLEY SANDEFUR,

Petitioner,

v.

KYLE OLSEN, *et al.*,

Respondents.

Case No. 3:21-cv-00125-MMD-WGC

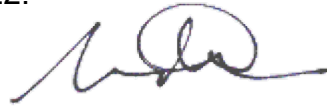
ORDER

In this habeas corpus action brought by *pro se* Petitioner Bradley Sandefur, Respondents filed a motion for leave to file an exhibit under seal ("Motion"). (ECF No. 21.) Respondents request leave to file a copy of Sandefur's presentence investigation reports, Exhibit 16, under seal. (ECF No. 22-1.) Sandefur did not respond to the Motion.

While there is a strong presumption in favor of public access to judicial filings and courts prefer that the public retain access to them, a court may seal its records if a party demonstrates "compelling reasons" to do so. See *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978); *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006). "Compelling reasons" exist where the records could be used for improper purposes. *Kamakana*, 447 F.3d at 1179 (citing *Nixon*, 435 U.S. at 598). Under Nevada law, presentence investigation reports are confidential, and are not to be made part of a public record. See NRS § 176.156(5). The presentence investigation reports filed by Respondents contain sensitive confidential information concerning Sandefur and others, which could be used for improper purposes. In view of the state law and considering the nature of the information in the presentence investigation reports, the Court finds that there is good cause for the exhibit in question to be filed under seal.

1 It is therefore ordered that Respondents' Motion for Leave to File Exhibit Under
2 Seal (ECF No. 21) is granted. Respondents are granted leave of court to file Exhibit 16
3 under seal. As that exhibit has already been filed under seal (ECF No. 22-1), no further
4 action is necessary in this regard.

5 DATED THIS 6th Day of January 2022.

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MIRANDA M. DU
8 CHIEF UNITED STATES DISTRICT JUDGE
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